

**REMARKS**

Claims 1-30 were originally filed in the present application.

Claims 1-30 are pending in the present application.

Claims 1-30 were rejected in the January 26, 2006 Office Action.

No claims have been allowed.

No claims are amended herein

Claims 1-30 remain in the present application.

Reconsideration of the claims in light of the following argument is respectfully requested.

In Section 3 of the January 26, 2006 Office Action, the Examiner rejected Claims 1, 3, 6, 8, 16, 18, 21 and 23 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,471,471 to *Freeburg et al.* (hereafter, "*Freeburg*") in view of U.S. Patent No. 6,804,522 to *Lindskog et al.* (hereafter, "*Lindskog*").

In Section 4 of the January 26, 2006 Office Action, the Examiner rejected Claims 2, 7, 17 and 22 under 35 U.S.C. §103(a) as being unpatentable over the *Freeburg* reference in view of the *Lindskog* reference and further in view of U.S. Patent No. 6,112,088 to *Haartsen* (hereafter, "*Haartsen*").

In Section 5 of the January 26, 2006 Office Action, the Examiner rejected Claims 3, 8, 18 and 23 under 35 U.S.C. §103(a) as being unpatentable over the *Freeburg* reference in view of the *Lindskog* reference and further in view of U.S. Patent No. 6,141,566 to *Gerdisch et al.* (hereafter, "*Gerdisch*").

In Section 6 of the January 26, 2006 Office Action, the Examiner rejected Claims 4, 5, 9, 10, 19, 20, 24 and 25 under 35 U.S.C. §103(a) as being unpatentable over the *Freeburg* reference in view of the *Lindskog* reference and further in view of U.S. Patent Application Serial No. 10/034,234 (Pub. No. US2003/0123479) to *Lee et al.* (hereafter, “*Lee*”).

In Section 7 of the January 26, 2006 Office Action, the Examiner rejected Claims 11-13 and 26-28 under 35 U.S.C. §103(a) as being unpatentable over the *Freeburg* reference in view of the *Lindskog* reference and further in view of the *Gerdisch* reference.

In Section 8 of the January 26, 2006 Office Action, the Examiner rejected Claims 14, 15, 29 and 30 under 35 U.S.C. §103(a) as being unpatentable over the *Freeburg*, *Lindskog* and *Haartsen* references in view of the *Gerdisch* reference.

The Applicants respectfully direct the Examiner’s attention to independent Claim 1, which contains the unique and non-obvious limitations emphasized below:

1. For use in a base transceiver station of a wireless communications system, an apparatus for supporting dual standards comprising:  
a sectored antenna system for a coverage area; and  
an omni antenna system for the coverage area, wherein the sectored antenna system is employed for wireless communications utilizing a first standard within the coverage area and the omni antenna system is employed for wireless communications utilizing a second standard within the coverage area. (*Emphasis added*).

The Applicants respectfully submit that the above-referenced limitations are not disclosed, suggested or even hinted at in any one of the *Freeburg*, *Lindskog*, *Haartsen*, *Gerdisch*, and *Lee* references, or in any combination of two or more of the *Freeburg*, *Lindskog*, *Haartsen*, *Gerdisch*, and *Lee* references.

In rejecting Claim 1, the Examiner asserted that the *Freeburg* reference teaches an apparatus for use in a base transceiver station of a wireless communication system using a first standard within a coverage area and using a second standard within the coverage area, while acknowledging that the *Freeburg* reference does not teach a sectored antenna system for a coverage area and an omni antenna system for the coverage area. However, Examiner asserted that the *Lindskog* reference teaches “using a sectored antenna system for wireless communications and an omni antenna system for wireless communications.”

Absent from the rejection of Claim 1 is any assertion that the prior art describes a sectored antenna system utilizing a first standard and an omni antenna system utilizing a second standard, as recited in Claim 1. As such, the rejection fails to show that the cited prior art references teach all the limitations of the claimed invention. The rejection of Claim 1 under section 103(a) is therefore improper and should be withdrawn.

Indeed, the Applicants submit that there is no description of a sectored antenna system utilizing a first standard and an omni antenna system utilizing a second standard in either the *Freeburg* reference, the *Lindskog* reference, or the combination of the *Freeburg* and *Lindskog* references. Moreover, the *Haartsen*, *Gerdisch*, and *Lee* references do nothing to overcome this shortcoming of the *Freeburg* and *Lindskog* references. This being the case, Claim 1 recites unique and non-obvious limitations that are patentable over the *Freeburg*, *Lindskog*, *Haartsen*, *Gerdisch*, and *Lee* references. Furthermore, dependent Claims 2-5, which depend from Claim 1, contain all of

the unique and non-obvious limitations that are recited in Claim 1. Therefore, dependent Claims 2-5 are also patentable over the *Freeburg*, *Lindskog*, *Haartsen*, *Gerdisch*, and *Lee* references.

The Applicants note that independent Claims 6, 11, 16, 21 and 26 recite limitations that are analogous to the unique and non-obvious limitations recited in Claim 1. Thus, amended independent Claims 6, 11, 16, 21 and 26 are patentable over the cited prior art references. Finally, dependent Claims 7-10, dependent Claims 12-15, dependent Claims 17-20, dependent Claims 22-25 and dependent Claims 27-30, which depend from independent Claims 6, 11, 16, 21 and 26, respectively, contain all of the unique and non-obvious limitations that are recited in independent Claims 6, 11, 16, 21 and 26. As such, dependent Claims 7-10, 12-15, 17-20, 22-25 and 27-30 are also patentable over the *Freeburg*, *Lindskog*, *Haartsen*, *Gerdisch*, and *Lee* references.

Furthermore, in rejecting Claim 6, the Examiner asserted that the *Freeburg* reference teaches an apparatus for supporting dual standards, comprising utilizing first and second standards in a first coverage area and utilizing the first and second standards in a second coverage area. In asserting that the *Freeburg* reference teaches a second coverage area, the Examiner relied upon column 2, line 65, to column 3, line 7, of the *Freeburg* reference. The cited passage, including the preceding sentences of the first paragraph, states:

From the foregoing, it is apparent that communications equipment (radios) designed to operate utilizing the GSM format and associated frequencies will be incapable of accessing or communicating with communications equipment designed per the DECT specification. The same is true for other radio communications equipment designed for systems which either operate on differing communications channels or employ incompatible transmission protocols. Such systems include, but are not limited to: the UK's Personal Communications Network (PCN), also referred

to as DCS1800, the United States Digital Cellular System (USDC), Japan's Digital Cellular System (JDC) and the like.

In light of the incompatible nature of existing packet transmission communication systems, and in recognition of the modern trend toward compatibility, it would be extremely advantageous to provide a common communications Node which is capable of supporting a variety of different radio-types, i.e., a plurality of different communications systems.

The Applicants are unable to find in the cited passage a description of a second coverage area, as asserted by the Examiner. Instead, the passage describes the incompatibility of existing communication systems and the advantage of a communication node capable of supporting a plurality of different communication systems. As such, the rejection of Claim 6 fails to show that the cited prior art references teach all the limitations of the claimed invention. The rejection of Claim 6 under section 103(a) is therefore improper and should be withdrawn.

The Applicants submit that there is no description of a second coverage area in either the *Freeburg* reference, the *Lindskog* reference, or the combination of the *Freeburg* and *Lindskog* references. Moreover, the *Haartsen*, *Gerdisch*, and *Lee* references do nothing to overcome this shortcoming of the *Freeburg* and *Lindskog* references. This being the case, Claim 6 recites further unique and non-obvious limitations that are patentable over the *Freeburg*, *Lindskog*, *Haartsen*, *Gerdisch*, and *Lee* references. Furthermore, dependent Claims 7-10, which depend from Claim 6, contain all of the further unique and non-obvious limitations that are recited in Claim 6. Therefore, dependent Claims 7-10 are also patentable over the *Freeburg*, *Lindskog*, *Haartsen*, *Gerdisch*, and *Lee* references.

The Applicants note that independent Claim 21 recites limitations that are analogous to the further unique and non-obvious limitations recited in Claim 6. Thus, amended independent Claim 21 is patentable over the cited prior art references. Finally, dependent Claims 22-25, which depend from independent Claim 21, contain all of the further unique and non-obvious limitations that are recited in independent Claim 21. As such, dependent Claims 22-25 are also patentable over the *Freeburg, Lindskog, Haartsen, Gerdisch*, and *Lee* references.

**SUMMARY**

For the reasons given above, the Applicants respectfully request reconsideration and allowance of the pending claims and that this application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@davismunck.com*.


The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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